

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES,

-v-

No. 80-CR-00826

LAWRENCE PEARSON

Defendant.
-----X

ORDER

The Court has received a letter from Lawrence Pearson requesting sealing of his 1983 criminal conviction in the above-captioned case.

Mr. Pearson is not challenging his conviction. Rather, his letter explains that he completed his sentence many years ago and that he would like to have his conviction sealed. Unfortunately, the Court does not have authority to grant Mr. Pearson's request for sealing. Where, as here, a request for sealing is brought years after a valid conviction and completion of the sentence imposed, the court does not have the power to assert jurisdiction over, or grant, requests for expungement of such. Doe v. United States, 833 F.3d 192, 196 n. 1 (2d Cir. 2016) (refusing a motion to "expunge" a criminal conviction on grounds of collateral consequences and post-offense rehabilitation, but explaining the action of the District Court to be overturned was "in effect" a sealing of Doe's criminal conviction). The only federal statute providing for such judicial relief is 18 U.S.C. section 3607, but that statute limits the types of convictions that may be expunged to offenses under section 404 of the Controlled Substances Act (21 U.S.C. § 844.) Mr. Pearson's conviction was not for a violation of this statute. The Court therefore does not have power under current law to exercise jurisdiction over this request or to grant it. Accordingly, Mr. Pearson's request is denied.

The Clerk of Court is respectfully directed to mail a copy of this order to Mr. Pearson, at the below address.

SO ORDERED.

Dated: New York, New York
July 14, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge

Copy to be mailed to:

Lawrence Pearson
10 Fern Rd.
Sparta, NJ 07871